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**PATENT**  
Attorney Docket No.: 018501-009700US  
Client Ref. No.: BRCA 007 US

Assistant Commissioner for Patents  
Washington, D.C. 20231

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On May 10, 2002

TOWNSEND and TOWNSEND and CREW LLP

By: Joy M. Marshall

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Mack, et al

Application No.: 09/642,034

Filed: August 18, 2000

For: NOVEL METHODS OF  
DIAGNOSING BREAST CANCER,  
COMPOSITIONS, AND METHODS OF  
SCREENING FOR BREAST CANCER  
MODULATORS

Examiner: Baskar, P.

Art Unit: 1645

AMENDMENT AND RESPONSE TO  
RESTRICTION REQUIREMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Office Action mailed December 10, 2001, please amend the above identified application as follows. Enclosed is a Petition to Extend Time for four months, from January 10, 2002 to May 10, 2002.

**IN THE CLAIMS**

Please cancel claims 7 and 31. Please add new claims 32-49 as follows:

32. (New) A method of diagnosing breast cancer comprising:

a) determining the expression of a gene at least 75% identical to

the sequence disclosed in Figure 1 or Figure 2 in a first sample of a first individual; and

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